

PUEBLO OF LAGUNA COUNCIL

Resolution No. 25-14

Re: Enacting an Animal Control Code

At a duly called meeting of the Pueblo of Laguna Council held on the 4th day of April, 2014, the following resolution was adopted:

WHEREAS, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian Tribe with all the inherent sovereign governing powers; and

WHEREAS, the powers of the Pueblo Council include the power to establish and enforce ordinances governing the conduct and civil relations of residents of the Pueblo and providing for the maintenance of law and order and the administration of justice within the lands of the Pueblo (Constitution, Article IV.2.e); and

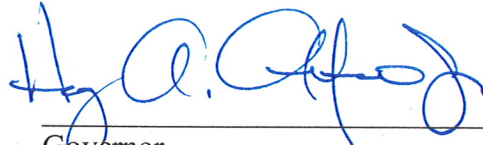
WHEREAS, the Dog and Cat Control Ordinance was enacted by the Pueblo of Laguna Council on May 5, 1992, by Ordinance No. 100-92; and

WHEREAS, the current Dog and Cat Control Ordinance is outdated and unenforceable; and

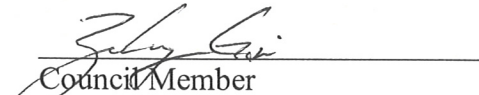
WHEREAS, the Pueblo of Laguna has an interest in reducing stray animal populations, and ensuring the health, safety and welfare of all residents of the Pueblo; and

WHEREAS, it is in the best interest of residents of the Pueblo of Laguna to enact an enforceable comprehensive Animal Control law;

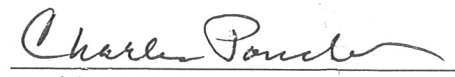
NOW, THEREFORE, BE IT RESOLVED, that Council hereby approves the Animal Control Code, attached as Attachment A, and such Animal Control Code shall replace the 1992 Dog and Cat Control Ordinance in its entirety.


Governor


Council Member

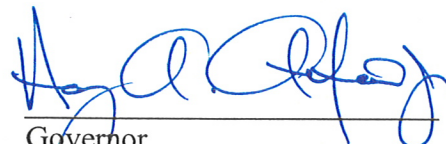

Council Member

ATTEST:

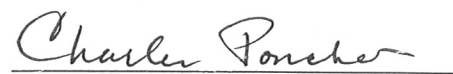

Pueblo Secretary

CERTIFICATION

The foregoing resolution was enacted upon by the Pueblo of Laguna Council on the 4th day of April, 2014, by a vote of 18 for and 0 opposed, at a duly called meeting at which a quorum of the Council was present.


Governor

ATTEST:


Pueblo Secretary

Title X – Natural Resources and Animals

Chapter 3. Animal Control

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SECTION 10-3-1. AUTHORITY AND PURPOSE

- A. Pursuant to its sovereign authority to protect the health and welfare of Pueblo members and other residents, as provided in the 2012 Constitution of the Pueblo of Laguna, (Article IV, Section 2(k)), and to protect the political integrity and economic security of the Pueblo (Constitution. Article IV, Section 2(v)), the Laguna Pueblo Council hereby enacts this Animal Control Code.
- B. The purpose of this Code is to regulate the vaccination, impoundment, humane treatment, quarantine and disposal of domestic animals on the lands of the Pueblo of Laguna, to ensure the public health, safety and welfare of Pueblo residents and domestic animals.
- C. In addition, this Code is being enacted for the purpose of setting forth the powers and duties, limits and authorities of both those persons subject to the Code and those person(s) responsible for enforcing the provisions of the Code, as well as setting out the penalties for any violations of the Code.

SECTION 10-3-2. APPLICABILITY

- A. This Code applies to all domestic animals found within the jurisdictions of the six (6) Pueblo of Laguna villages and all residential assignments outside of village jurisdictions.
- B. This Code also applies to all domestic animals not considered to be livestock within the exterior boundaries of the Pueblo of Laguna.
- C. Livestock found outside of the above locations are regulated by the Grazing Code (Title X. Chapter 1)

SECTION 10-3-3. DEFINITIONS

- A. Abandoned Animal – Owned/controlled live animals owned and living within the Pueblo of Laguna that have been left without supervision or feeding for over four (4) days.
- B. American Kennel Club (AKC)- The AKC is a registry of purebred dog pedigrees in the United States. The dog's parents must have been registered with the AKC as the same breed, and the litter in which the dog is born must be registered with the AKC.
- C. Animal - A vertebrate member of the animal kingdom, other than humans, which may include, but is not limited to, animals such as dogs, cats, sheep, and horses.
- D. Animal Abuse - To maliciously kill, maim, torture, mutilate, burn or cruelly drive or work any animal beyond what is considered reasonable for driving or working such animal.
- E. Animal Control Officer - The person or persons employed by the Pueblo of Laguna Animal Control Division, and are the primary enforcement officers for this Code.
- F. Animal Shelter or Pound - A designated enclosed area for the humane impoundment of animals.
- G. Attack – The conduct of an animal that poses a threat to public safety by causing an injury to a person or domestic animal; chasing or menacing a person or domestic

animal in an aggressive manner and without provocation; or acting in a highly aggressive manner within a public place or a controlled area.

1. Bite/Claw – To contact the skin with teeth, fangs, claw, or similar body part.

Severity of bite/claw(s):

- a. Incidental – Any bite/claw that does not disfigure the skin.
 - b. Minor – Any bite that results in temporary skin disfiguration, which does not break the top layer of skin, and where the animal's saliva does not contact the underlying tissue and or blood.
 - c. Major – Any bite that results in skin disfiguration, where the skin is broken and saliva comes into contact with the underlying tissue and or blood.
- H. Controlled Area – An area in which an animal is fenced, leashed, controlled by means of runners, stakes and chains, or other method to prevent animals from leaving the area.
- I. Constructive Control – where an owner/caretaker of an animal has actual control over the animal without having actual physical control over the animal.
- J. Cruel or Inhumane - Intentional hostile infliction of physical or mental suffering to the animal.
- K. Discarded Animal – Any animal that is left or dropped off within the jurisdictional boundaries of the Pueblo of Laguna by a person with no intention of recovery.
- L. Domestic Animal – An animal that has been tamed and kept by humans as a work animal, food source, or pet, especially a member of those species that have, through selective breeding, become notably different from their wild ancestors.
- M. Euthanasia – The act of putting an animal to death in such a manner as to minimize pain and distress experienced by the animal prior to loss of consciousness. The use of humane techniques must induce the most rapid, painless and distress-free death possible.
- N. Exotic Animals - An animal that is rare or different from ordinary domesticated animals and is not indigenous to the Pueblo of Laguna.
- O. Exposed to Rabies - An animal, such as a dog, that has been bitten by or has been in close proximity to any other animal that is known to have been infected with rabies.
- P. Feral - Domesticated animal having reverted to a wild or semi-wild state.
- Q. Free Ranging- any animal not in a controlled area or under physical or constructive control of an owner/caretaker.
- R. Harboring – Feeding/maintaining a stray or feral animal for more than 4 days.
- S. Household – living space, persons and possessions belonging to such a unit.
- T. Humane – merciful and with compassion.
- U. In Heat- the estrus phase of a mammal's reproductive cycle.
- V. Law Enforcement Officer – A person or persons, who are certified, commissioned officers employed by the Pueblo of Laguna Law Enforcement Department, and who serves as an enforcement officer for this Code in addition to the Animal Control Officers, on an as needed basis.

- W. Livestock - Any domesticated animals, which may be kept or raised in pens, houses, pastures, on farms, or on the open range as part of an agricultural or farming operation, whether for commerce or private use.
- X. Neglect – To fail to provide adequate shelter, food, water, or veterinary care to an animal.
- Y. Nuisance – A source of inconvenience: howling, barking, defecation, urination, disturbing the peace, emitting noxious or offensive odors, knocking over trash cans or tearing open trash bags, or any other acts that might endanger, disturb or offend the well-being of the inhabitants of a particular village and/or housing area.
- Z. Owner/Caretaker - Any person, group of persons, firm or entity owning, keeping or harboring an animal; or, if that person is under the age of eighteen, that person's parent or guardian.
- AA. Pet – A domestic or tamed animal kept for companionship.
- BB. Quarantine - To detain or isolate an animal suspected of being infected with rabies or other contagious diseases.
- CC. Rabies Vaccination - The injection of an anti-rabid approved vaccine to animals, administered by an appropriately trained Public Health official, IHS or Pueblo personnel or veterinarian.
- DD. Rabies Tag- A tag supplied by the individual who administered the rabies vaccination which documents the anti-rabies vaccination number and year, and identification number.
- EE. Stray or Astray - An animal where there is not an identifiable keeper or owner.
- FF. Trapping - Taking or attempting to take any animal by means of trap, snare, deadfall or other device commonly used to capture animals, whether or not such acts result in the taking of an animal.
- GG. Under Control – An animal within a controlled area or with an owner/caretaker on a leash or lead, or in a carrier.
- HH. Vicious Animal - Any animal which commits an unprovoked attack(s) upon a person or other animal on private property, or which terrorizes or attacks a person or their property on public lands or in a public place.
- II. Wild Animal/Wildlife - Any animal that is wild by nature and cannot normally be domesticated or controlled.

SECTION 10-3-4. AUTHORITIES AND RESPONSIBILITIES

A. Animal Control Division

The day-to-day operations necessitated by this Code are delegated to the Animal Control Division of the Pueblo of Laguna Public Safety Department. The following list of duties is not meant to be all-inclusive. The Animal Control Division may take other actions to ensure the protection, health, safety and well-being of all residents of the Pueblo of Laguna. The Animal Control Division is authorized to:

- 1) Trap any feral/wild animals or any domestic animals that are stray or running at large that are or may be a threat to public health, safety or property;
- 2) Investigate complaints of animal bites, nuisance and abuse cases;

- 3) Quarantine and/or euthanize rabid animals;
- 4) Examine animal tags for validity and issues citations against owners for any violations of this Code;
- 5) Make arrangements for the euthanasia of and/or perform other accepted means of disposal of unclaimed, injured or ill animals as provided in Section 10-3-7(B) of this Code;
- 6) Coordinate vaccination, other animal care clinics and animal identification programs on an annual basis as funding permits;
- 7) Right of Entry - The Animal Control/Law Enforcement Officer, in the performance of his or her duties, may enter into a land assignment, controlled area or vehicle, except into a residence (unless consent is granted, a court order is available or other exigent circumstance require it), for the purpose of apprehending animals running at large, stray animals, or animals otherwise not in compliance with this Code;
- 8) Maintain records of the following:
 - a. Animals captured and their disposition;
 - b. Registered animals;
 - c. Owner violations;
 - d. Animal vaccinations;
 - e. Spayed and neutered animals;
 - f. Other records as necessary.
- 9) Educate the public on the legal requirements of animal ownership on the Pueblo of Laguna.

B. Village Authority

As defined by the Constitution and Pueblo Law, the Villages of the Pueblo of Laguna have certain powers and responsibilities to address the needs of each village. Villages have the authority to:

- 1) Approve the importation of exotic pets into village jurisdictions, in accordance with ENRD requirements.
- 2) Approve the keeping of livestock within the Village Jurisdiction.

C. Environmental and Natural Resources Department

As delegated by Pueblo Law, the Environmental and Natural Resources Department (ENRD) has primary authority over livestock outside of the village jurisdictions. Additionally, they have primary authority over wildlife, and the hunting and trapping thereof. Accordingly, the ENRD is responsible for assisting villages and/or animal control officers with the removal of livestock and wildlife upon request, and maintaining a list of permitted species to be allowed on the Pueblo.

D. Law Enforcement Division

The Laguna Pueblo Council hereby assigns to the Director of the Public Safety Department the authority and duty to administer this law and, pursuant to Pueblo of Laguna law, to promulgate regulations regarding its implementation.

Certain legal enforcement duties are beyond the training of the Animal Control Division and require a Certified Law Enforcement Officer (LEO). The LEOs are authorized to enforce Pueblo

Law. The enforcement responsibilities of LEOs with regard to this Code correspond to the specific authorities and training of these individuals.

SECTION 10-3-5. AMENDMENTS AND SEVERABILITY

A. Amendments

This Code may be amended by resolution of the Pueblo of Laguna Council. The Pueblo membership and other interested parties shall be notified of any amendments in accordance with established procedures.

B. Severability

If any part or application of this Code is held invalid, the remaining of the provisions contained herein shall not be affected.

SECTION 10-3-6. GENERAL PROVISIONS

A. Registration

It is the duty of every person keeping an animal within the exterior boundaries of the Laguna Reservation to have such animal appropriately registered.

- 1) **Collars** - All dogs and cats must wear visible collars and vaccination tags.
- 2) **Registration** – All Dogs and cats must be registered with the Pueblo Animal Control Division.
- 3) **Vaccination Certificate**
 - a) Every person who keeps a vaccinated animal must exhibit his copy of the certificate of vaccinations upon demand to any persons charged with the enforcement of this Ordinance.
 - b) ENRD shall keep a list of required vaccinations for common species.
 - c) If an individual is interested in bringing uncommon or exotic animals onto the Pueblo of Laguna, they must contact the ENRD and their village to obtain permission. The Animal Control Division shall ensure the vaccination requirements for that animal are met prior to the animal's entrance onto Pueblo lands.

B. Spay/Neuter Requirement

It is the duty of every person keeping a pet within the exterior boundaries of the Laguna Reservation to have those pets spayed or neutered to prevent continued expansion of the pet population.

- 1) All new pets must be spayed or neutered by the time they are 9 months old.
- 2) All existing pets must be spayed or neutered if they are above 9 months old.
- 3) AKC or similarly registered animals that are being used for breeding purposes must be

specially registered with the Animal Control Division who will issue a special collar tag for that animal.

- 4) All pets that are collected by the Animal Control Division must be spayed or neutered prior to their release back to the owner, unless those animals are registered as indicated in B.3, above.

C. Liability of Owner

1. The owner/caretaker of an animal, if deemed negligent, may be liable for any damages to a person or persons, their property or other interest, caused by that animal, or that animal's actions.
2. In a civil case where the injured party wantonly irritated and aggravated an animal so that the animal attacks, the court may balance the recovery of damages between the parties.
3. A pet owner's neglect or refusal to take necessary precautions in preventing the pet from causing injury or property damage may result in fines and/or liability.

D. Reporting

- 1) **Suspected Disease** - Every person who suspects communicable disease in a domestic or wild animal shall immediately report the same to the Animal Control Division or the Laguna Law Enforcement Program.
 - a) Reports should include:
 1. Suspected disease, and reason for diagnosis (symptoms);
 2. Precisely when and where such animal was seen and if possible where it may be found;
 3. Photos or a visual description; and
 4. Severity of incidence/likelihood of public safety risk.
 - b) The Animal Control Division will consider the report, offer guidance and/or collect the animal, if necessary.
- 2) **Animal Attack** - Any person with knowledge that an animal has attacked a human being or another domestic animal shall immediately report the incident to the Animal Control Division or the Laguna Law Enforcement Program.
- 3) **Physician Treatment** – Every physician or other health care professional that treats a person for an animal bite shall report such to the Laguna Law Enforcement Program within twelve (12) hours of such treatment. Such report shall contain the name of the person bitten, their address, telephone number and the exact location where the incident occurred. Such reporting shall not infringe upon applicable laws regarding patient confidentiality.

E. Animal Limitations

- 1) **Animals maintained in the home, near the home, and within village jurisdiction are**

permitted if the following conditions are met:

- a) The animals do not present a substantial risk to human health or other animals;
- b) The space is sufficient to maintain all the animals under relatively humane conditions;
- c) Sufficient food and water are provided to support all animals maintained;
- d) Reasonable veterinary care is provided to keep the animals in healthy condition;
- e) Animal waste is removed to avoid human, animal or other health risks; and
- f) Noise is maintained at a reasonable level at all hours.

2) Livestock

- a) Livestock owners may keep livestock within the village jurisdiction provided:
 - 1. They have approval from the villages, as appropriate;
 - 2. The livestock must be identifiable, as indicated in the Grazing Ordinance;
 - 3. The livestock must be vaccinated appropriately; and
 - 4. The livestock must be kept within a corral or pen, unless in use.
- b) Livestock within village jurisdiction may not be free ranging.
 - 1. Free ranging livestock may be gathered and disposed of as the village officials determine.
 - 2. Upon request from the Village Staff Officer and/or Mayordomos, ENRD will assist with the gathering of village livestock.

F. Prohibited Animals

- 1) Pure-bred wolf or half-wolf/half dog mixes are strictly prohibited from being kept as pets on the Pueblo of Laguna.
- 2) Any vicious animal is prohibited from being kept as a pet on the Pueblo of Laguna.
- 3) ENRD will maintain a list of permitted animals. Individuals requesting permission to bring on other species should contact ENRD.
- 4) Exotic animals are only permitted upon approval by the village.

G. Harboring Animals

- 1) Animals with no identifiable registered owner that are fed or housed for four (4) days, consecutive or not, are considered to be the property and responsibility of the household. After the four (4) day period, the household harboring the animal is considered the owner of the animal for purposes of this Code.
- 2) Within 7 days of ownership, harbored animals must be vaccinated and registered like any other animal on the Pueblo.

H. Animals in Vehicles

- 1) Animals may not be left or confined in any unattended motor vehicle or trailer under conditions that endanger the health or well-being of those animals due to heat, cold, lack of adequate ventilation, lack of food, lack of water, or other

circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.

- 2) Any animal control officer or law enforcement officer of this Code is authorized to take all steps that are reasonably necessary for the removal of an animal endangered by its confinement from that vehicle.
- 3) If the officer removes the animal from its location, the officer must leave written notice bearing his or her name and office, and the address of the location where the animal can be claimed.
- 4) The rescuing officer is not liable for any property damage or loss as a result of the animal rescue.

I. Humane Disposal of Animals

All dead domestic animals must be disposed of by burying the animal(s) in certain designated areas.

- 1) Animals must be removed within 24 hours of discovery of death. Owner must notify the Animal Control Division within 24 hours of discovery of the dead animal if they are not able or willing to bury the animal.
- 2) Burying of dead animals is the sole responsibility of the identified owner.
 - a) The Pueblo will charge a fee to bury the animal if the owner is unable or unwilling to bury their animal. This fee will be set by the Public Safety Department for pets and other small animals, and by ENRD for large livestock.
 - b) The Utility Authority can be contacted for the location of burial sites for small animals.
 - c) The ENRD can be contacted for the location used for burying livestock.
- 3) Unidentifiable or unclaimed animals will be buried or disposed of by the Animal Control Officer, with the assistance of ENRD for large animals, and the disposal fee may be charged to the village, if the dead animal was found within village jurisdiction.

J. Sick Domestic Animals

- 1) If any domestic animal is fatally ill, and/or if the animal has been confirmed to have a hazardous, contagious or infectious disease, the owner shall notify the Animal Control Division.
- 2) The Animal Control Division will determine the need for special treatment or euthanasia.
- 3) After death, animals with the potential for contamination/infection of other animals must be buried a minimum of three (3) feet beneath the surface or incinerated at an approved facility.

K. Domestic Animal Attacks

- 1) An Animal Control Division officer may destroy any registered animal if the animal shows clear clinical signs of rabies or the animal's owner consents to its destruction.
- 2) The Animal Control Division shall destroy a vicious animal that is registered or owned pursuant to Section 10-3-6(G) of this Code, by order of the Pueblo of Laguna Pueblo Court. The Pueblo Court may issue an order to destroy a vicious animal after notice to the owner,

- and notice to the person who was bitten, and a hearing. The Pueblo Court may impose additional procedures and processes to protect all parties in the interest of justice.
- 3) A decision to release, quarantine or destroy the animal will be based on, but not limited to, the following factors:
 - a) The number of previous bites that the animal may have on record;
 - b) The severity of the bite or bites;
 - c) Status of vaccinations;
 - d) Whether the animal is one that is prohibited from being harbored on the Pueblo;
 - e) Whether the animal has been confirmed to have rabies and/or a communicable/infectious disease; and
 - f) Whether animal was provoked.
 - 4) The owner of a vicious animal shall be responsible for any fees incurred by the Animal Control Division for any impounding, sheltering and/or disposing of the animal.
 - 5) This section shall not apply to a dog that is used by any law enforcement agency and that bites any person if the bite occurs while the dog is under proper law enforcement supervision and under the care of a licensed veterinarian, except that the law enforcement agency shall:
 - a) Notify the Animal Control Division if the dog exhibits any abnormal behavior;
 - b) Make a bite report; and
 - c) Make the dog available for examination at any reasonable time.

SECTION 10-3-7. IMPOUNDMENT OF ANIMALS

A. Animals Running at Large/Strays

- 1) Any domestic animal may be captured by an Animal Control Officer and checked for a tag or other identifying marks.
- 2) Any livestock may be checked for identifying brands tagged or marks by an Animal Control Officer, Law Enforcement Officer, or ENRD Staff.
- 3) If no identifying tags or markings are found, the animal shall be impounded in the holding facility that has been designated for that purpose. The animal will be confined in a humane manner.
- 4) If identifying tags are found, and records indicate current vaccinations and registration, the animal may be released or returned to its owner.
- 5) If identifying tags are found, but records indicate that vaccinations or registration are not current, or in compliance with this ordinance, the owner will be notified and actions appropriate to this code taken.

B. Disposition of Impounded Animals

The Animal Control Officer will determine the disposition of an impounded animal based upon the ownership, registration, vaccination, licensing, and behavioral status of the animal as follows:

- 1) Where an owner is identified, the animal is registered and wearing license tag, and the animal's vaccinations are current:
 - A. The Animal Control Officer will contact the owner within twenty-four (24) hours and such owner will be required to claim their animal within three (3) days after notification.
 - B. An animal which has not been claimed by its owner before the expiration of the three day period, shall become the property of the Pueblo, and may be released to an outside holding agency.
 - C. If the animal's owner cannot be contacted within three (3) days, the animal shall become the property of the Pueblo, and may be released to an outside holding agency.
- 2) Where an animal not registered or licensed, and no owner is known:

The Animal Control Officer will hold the animal for a period of not less than one day, after which it will be released to an outside holding agency. The Animal Control Officer shall post information regarding the animal's disposition in a conspicuous place for a period of one day (24 hours).
- 3) If the Animal Control Officer determines that an animal may be vicious, a nuisance, disturbing the peace, or suspected of having rabies, the Animal Control Officer may hold the animal and/or release the animal to an outside holding agency until legal or health issues have been resolved.
- 4) Any adult wishing to claim a free ranging canine in the control of the Animal Control Officer will be allowed to claim the animal, but must return to the Animal Control Division within seven (7) calendar days and show proof to the Animal Control Officer that the animal is registered, vaccinated, and spay/neutered.
- 5) If animals are not claimed or fees paid within the indicated timeframes, or the animal has been released to an outside holding agency, the Animal Control Officer will not return the animal to the owner.

C. Right to Redeem – Where an animal is under the control of the Pueblo of Laguna Animal Control Officer, the owner of any animal impounded under this Code shall have the right to redeem the animal upon the payment of impounding fees, care and feeding charges, veterinary fees, if any, and such other reasonable costs as may be set by the Pueblo of Laguna, under its regulation and rule making authority. However, vicious animals or animals that the Pueblo of Laguna Court has determined should be destroyed may not be redeemed.

D. Animals with Complaints Filed - If a complaint has been filed in the Laguna Pueblo Court against the owner of an impounded animal for violation of this Ordinance, the animal shall not be released or any further action taken, until the matter has been dealt with by the Court, and a Release Order issued. The owner may be directed to pay penalties for violation of this Code in addition to all impound fees, care and feeding charges, and veterinary fees, if any. The cost for holding a cat or dog on the Pueblo shall be dismissed in the event circumstances dictate that the animal was not the cause

of injury or damage.

E. Impoundment Fees – Impounded animals may be reclaimed upon payment by the owner of any charges and/or fees which may consist of the following:

- 1. Impoundment Fee** – The Public Safety Department determines and imposes the initial fee for the collection of the animal.
- 2. Boarding Charge** - A boarding charge per day of confinement will be imposed for the housing of any impounded animal. The fees and charges are set by the Public Safety Department.

F. Adoption of Impounded Animals – the Public Safety Department may release for adoption any healthy, non-vicious animal that has been impounded, but not released to an outside entity. The cost of the adoption shall be the cost of any charges incurred by the Public Safety Department.

SECTION 10-3-8. INVESTIGATION OF ALLEGED VIOLATIONS

For the purpose of discharging the duties imposed by this Ordinance, and to enforce its provisions, the Animal Control Officer can call upon the Laguna Law Enforcement Program, the Environmental and Natural Resources Department, the Village Officials, and others as necessary to assist in the investigation of any alleged violations of this Ordinance.

SECTION 10-3-9. CIVIL VIOLATIONS AND PENALTIES

The following types of acts or activities are prohibited and the Animal Control Officer and any Law Enforcement Officer has the authority to issue a civil assessment/citation to any person for any violation covered by this Code and/or to file a complaint with the Laguna Pueblo Court for such violations:

Unless noted below, any person convicted of any violation of this Code shall be punishable by a fine not to exceed Three Hundred dollars (\$300.00).

A. Abandonment of Controlled Animals - It is unlawful for any person to abandon any animal belonging to him or her within the Pueblo of Laguna Reservation.

B. Animal Bite Fines –

- a. For incidental attack, there shall be no fine;
- b. For minor attacks, the fine shall be twenty five dollars (\$25.00); the Pueblo of Laguna Court may determine that the owners of repeat offenders may not continue to own the animal;
- c. For major attacks, the fine shall be fifty dollars (\$50.00); the Pueblo of Laguna Court may determine that the owners of repeat offenders may not continue to own the animal.

C. Neglect - It is unlawful for any person to intentionally fail to provide an animal in his or her custody with proper shelter, food, water, or veterinary care.

- a. **Pets** – The household housing a neglected pet will not be able to own any pets for one (1) full calendar year from the time of incident.
- b. **Livestock** – The individual owning the neglected livestock will not be able to own any

livestock either within the village or within a livestock association for three (3) full calendar years from the time of the incident. All livestock owned by the individual must be removed from the range or village within ten (10) days of the citation, or the livestock owner will be subject to fines at rates commensurate Pueblo of Laguna law.

- c. **Leaving Animals in Vehicles-** It is unlawful to leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.
- D. **Discarding an Animal** – It is unlawful to discard an animal on the Pueblo of Laguna. Fines for discarding animals in violation of this Code shall be as follows:
 - a. For illegally discarding Pets, there shall be a fine of two hundred and fifty dollars (\$250.00);
 - b. For illegally discarding Livestock, there shall be a fine of one thousand dollars (\$1000.00);
 - c. For illegally discarding Exotic animals, there shall be a fine of one thousand dollars (\$1000.00).
- E. **Enforcement of Impoundment** - It is unlawful to remove any animal from impoundment during the period of confinement without consent of the Animal Control Officer. For unlawfully removing an animal from impoundment, there shall be a fine of one hundred dollars (\$100.00).
- F. **Enforcement of Quarantine** - It is unlawful to remove any animal from quarantine during the period of confinement without consent of the Animal Control Officer. For unlawfully removing an animal from quarantine during a period of confinement, there shall be a fine of one thousand dollars (\$1000.00).
- G. **False and Stolen Documents** - It is unlawful for any person to transfer any rabies tag from one animal to another, or to make use of stolen, counterfeit, or forged tags. For illegal use of tags, there shall be a fine of one hundred dollars (\$100.00).
- H. **Failure to Register Animals** – there shall be a fine of fifty dollars (\$50.00) for failure to register animals.
- I. **Failure to Vaccinate Animals** – there shall be a fine of fifty dollars (\$50.00) for failure to vaccinate animals, where required.
- J. **Failure to Spay or Neuter pets** –If an animal owner is required to spay and neutering their animal, and the owner fails to do so, and fails to provide proof provided to the court within seven (7) calendar days following the citation, there shall be fine of two hundred dollars (\$200.00). If the animal owner ensures that the pet is spayed/neutered within one week of the citation, the fine will be reduced to fifty dollars (\$50.00).
- K. **Female Dogs or Cats in Heat** - Any person who has in their custody, control or possession a female dog or cat that is in heat shall confine the animal in order to preclude other animals from being attracted to such female animal. For failure to confine an animal in heat, there shall be fine of two hundred dollars (\$200.00).
- L. **Interference** - It is unlawful for any person to interfere with any officer, official, or

individual that is lawfully discharging the duties imposed upon them by this Ordinance.

M. **Turtles** -- It is unlawful for any person to offer for sale, or to sell or barter or give away live turtles with a shell length of 4" or less except in conformance with applicable federal regulations. For violation of this provision, there shall be a fine of twenty-five dollars (\$25.00) and the Animal Control Division shall confiscate the turtles.

N. **Vicious animals** -- It is unlawful for any person to keep or harbor any vicious animal. Any vicious animals must be turned over to an Animal Control Officer. Failure to comply will result in enforcement and a five hundred dollar (\$500.00) fine.

O. **Animal Abuse** -- It is unlawful for any person to commit animal abuse.

1. Every person convicted of animal abuse shall be punished by a fine not to exceed One Thousand dollars (\$1,000.00), plus any fees and/or charges associated with the care and maintenance of the injured animal and/or for the disposal of such animal if it had to be destroyed.
2. In addition, the Court may order a person convicted of committing Animal Abuse to animals to participate in an animal cruelty prevention program or education program, or to obtain psychological counseling for treatment of mental disorders that, in the court's judgment, contributed to the commission of the offense. The offender shall bear any costs incurred for participation in counseling or treatment programs under this section.
3. The upon a Court determination of a person's willful, malicious intent to commit animal abuse, the Court may also prohibit that person from owning or possessing an animal for a period of time as determined by the court, with a minimum of one (1) year ban on animal ownership for pet abuse, and a three (3) year ban on animal ownership for intentional abuse of livestock.

P. Animal Fighting

1. It is unlawful for any person to knowingly sell, buy, possess, train, transport, deliver or receive any animal for purposes of having the animal participate in an animal-fighting venture.
2. It shall be unlawful to cause, instigate, sponsor or promote any fight in which two (2) or more animals are engaged for the purpose of sport, wagering or entertainment, where such fight has the purpose of the animals injuring, maiming or destroying themselves or another animal.
3. An animal fight is not deemed to include any activity the primary purpose of which involves the use of one or more animals in hunting another animal.
4. Anyone who violates this section shall be guilty of animal abuse.